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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

XINDI LI,

Plaintiff,

v.

UNITED STATES CITIZENSHIP AND
IMMIGRATION SERVICES,

et al.,

Defendants.

Case No. 4:24-cv-3866 (HSG)

**STIPULATED MOTION FOR A
THIRTY DAY EXTENSION OF
TIME TO ANSWER OR
OTHERWISE RESPOND TO THE
COMPLAINT AND ORDER**

STIPULATED MOTION FOR A THIRTY
DAY EXTENSION OF TIME TO
ANSWER OR OTHERWISE RESPOND
TO THE COMPLAINT AND
ORDER
No. 4:24-cv-3866-HSG

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U.S. DEPARTMENT OF JUSTICE, CIVIL DIVISION
OFFICE OF IMMIGRATION LITIGATION
DISTRICT COURT SECTION
P.O. BOX 868, BEN FRANKLIN STATION
WASHINGTON, DC 20044
(202) 305-1540

1 The parties respectfully request a thirty-day extension of time to answer or otherwise
2 respond to the Complaint.

3 On June 27, 2024, Plaintiff Xindi Li (“Plaintiff”) filed the instant complaint, challenging
4 Defendant U.S. Citizenship and Immigration Services’ (“USCIS”) purported delay in adjudicating
5 his Form N-400, Application for Naturalization (“N-400”). *See* ECF No. 1. The Government was
6 served on July 1, 2024. The Government’s deadline to answer or otherwise respond to the
7 Complaint is August 30, 2024. Fed. R. Civ. P. 12(a)(2).

8 A noncitizen seeking to naturalize must first file a Form N-400, Application for
9 Naturalization, after which a background investigation is conducted. The applicant is then
10 examined under oath by a USCIS officer, after which a decision on the application is issued.
11 Plaintiff seeks adjudication of his naturalization application and, at the time of filing of the
12 Complaint, Plaintiff had not yet been scheduled for a naturalization interview. Compl. ¶¶ 6-10.
13 However, further progress has been made in the adjudication process. Specifically, on August 19,
14 2024, Plaintiff appeared at the USCIS San Jose Field Office for a naturalization interview, one of
15 the final adjudicative steps before a decision issues. A decision would render this matter moot.

16 Therefore, pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, Local Civil Rules
17 6-1 and 6-3, the parties move the Court for a thirty-day extension of time to answer or otherwise
18 respond to the complaint. This is the parties’ first request for an extension. The parties seek the
19 Court’s endorsement in good faith, for a proper purpose, and not for undue delay of these
20 proceedings.

21 WHEREFORE, the parties respectfully request that this Court extend the time to answer
22 or otherwise respond to the complaint from August 30, 2024, to September 30, 2024.

1 Dated: August 22, 2024

Respectfully submitted,

2 BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General
3 Civil Division

4 WILLIAM C. PEACHEY
Director

5 RUTH ANN MUELLER, DC#1617339
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23 STIPULATED MOTION FOR A THIRTY
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ORDER

The parties having stipulated and agreed, it is hereby so ORDERED. Defendants shall answer or otherwise respond to the Complaint on or before September 30, 2024.

DATED this 26th day of August, 2024.


HONORABLE HAYWOOD S. GILIAM, JR.
United States District Court Judge